

ReedSmith

IAP13 Rec'd PCT/PTO 27 OCT 2006

APC

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October 27, 2006

U.S. Patent and Trademark Office  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. National Phase Appl. No.: 10/567,080  
Based on PCT/JP2004/11268  
Filed: February 3, 2006  
Inventors: HASHIBA, et al.  
Your Ref. No.: 04-824KR-PCT-US  
Our Ref. No.: 358275.20012

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
2. Verified English Translation of Application including Figures 1A through 4;
3. Combined Declaration and Power of Attorney;
4. Preliminary Amendment;
5. Copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
6. Information Disclosure Statement;
7. Check No. 118186 in the amount of \$260.00 (\$130 surcharge and \$130 fee for English translation);
8. One return postcard.

11/03/2006 ATRAN1 00000116 10567080

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LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND  
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FRXLIB-445298.1-MRSHANKS 10/27/06 9:40 AM


Commissioner of Patents & Trademarks  
October 27, 2006  
Page 2

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It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Respectfully submitted,

REED SMITH LLP

  
Mark R. Shanks  
Reg. No. 33,781

MRS:sg  
Encl.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

HASHIBA, et al.

Serial No.: 10/567,080

Filed: February 3, 2006

For: Device and Method for Measuring Hard  
Granular Object

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 358275.20012

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop Missing Parts  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the communication of August 29, 2006, Applicants submit herewith a Declaration/Power of Attorney; the required fee of \$130.00; a verified English translation of the application including Figures 1A through 4; the required fee of \$130.00; and a copy of the Notice of Missing Requirements. Additionally, Applicants submit herewith a Preliminary Amendment and an Information Disclosure Statement.

Please associate the enclosed documents with the above-identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0622. If a fee is required

for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

REED SMITH, LLP

Date: 10/26/06

By: Mark R. Shanks  
Mark R. Shanks  
Reg. No. 33,781

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**32256**  
PATENT TRADEMARK OFFICE



## UNITED STATES PATENT AND TRADEMARK OFFICE

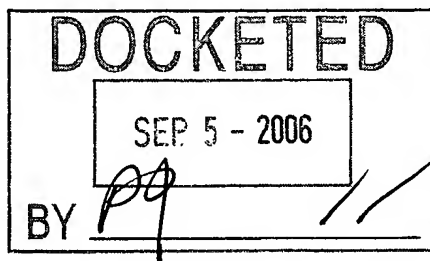
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/567,080                  | yoshitugi hashiba     | 3587520012       |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
| PCT/JP04/11268                |

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 08/05/2004       | 08/05/2003    |

32256  
 REED SMITH LLP  
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 SUITE 1100 EAST TOWER  
 WASHINGTON, DC 20005



CONFIRMATION NO. 2337  
 371 FORMALITIES LETTER



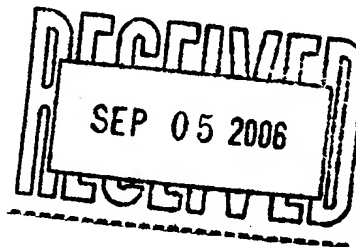
\*OC000000020208732\*

Date Mailed: 08/29/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/03/2006
- Copy of the International Search Report filed on 02/03/2006
- U.S. Basic National Fees filed on 02/03/2006
- Priority Documents filed on 02/03/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- \$130 Surcharge.
- \$130 for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/567,080                  | PCT/JP04/11268                | 3587520012       |

FORM PCT/DO/EO/905 (371 Formalities Notice)